

ASSEMBLY BILL

No. 692

Introduced by Assembly Member Chan

February 17, 2005

An act to add Section 33128.31 to the Education Code, relating to the Alameda County Office of Education, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 692, as introduced, Chan. School districts: reserve for economic uncertainties: Alameda County Office of Education.

(1) Existing law requires the State Board of Education to adopt standards and criteria to be used by local educational agencies in the development of annual budgets and the management of subsequent expenditures from that budget.

Existing law provides that, for the 2003–04 and 2004–05 fiscal years, the requirement for a reserve for economic uncertainties is 1/2 of the percentage for a reserve adopted by the State Board of Education as of May 1, 2003.

This bill would, in addition, for the Alameda County Office of Education, apply that requirement to the 2005-06 and 2006-07 fiscal years.

(2) This bill would make a legislative finding and declaration that due to the unique circumstances surrounding the Alameda County Office of Education, a general statute cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution.

(3) This bill would declare that it is to take effect immediately as an urgency statute.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 33128.31 is added to the Education
2 Code, to read:
3 33128.31. Notwithstanding the standards and criteria adopted
4 pursuant to paragraph (3) of subdivision (a) of Section 33128, in
5 addition to those fiscal years enumerated by Section 33128.3, for
6 the 2005-06 and 2006-07 fiscal years, the minimum state
7 requirement for a reserve for economic uncertainties for the
8 Alameda County Office of Education is one-half of the
9 percentage for a reserve adopted by the State Board of Education
10 pursuant to Section 33128 as of May 1, 2003.
11 SEC. 2. The Legislature finds and declares that a special law
12 is necessary and that a general law cannot be made applicable
13 within the meaning of Section 16 of Article IV of the California
14 Constitution because of the unique circumstances surrounding
15 the financial condition of the Alameda County Office of
16 Education.
17 SEC. 3. This act is an urgency statute necessary for the
18 immediate preservation of the public peace, health, or safety
19 within the meaning of Article IV of the Constitution and shall go
20 into immediate effect. The facts constituting the necessity are:
21 In order to apply the minimum state requirement for a reserve
22 for economic uncertainties as provided in this act in the 2005-06
23 fiscal year, it is necessary that this act take effect immediately.